



746520

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/11/2013	.	
	.	
	.	
	.	

The Committee on Agriculture (Montford) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Section 823.15, Florida Statutes, is amended to read:

(Substantial rewording of section.

See s. 823.15, F.S., for present text.)

823.15 Dogs and cats taken in and released from animal shelters, humane organizations, or animal control agencies of a county, municipality, or other incorporated political



746520

13 subdivisions; sterilization requirement; reporting
14 requirements.-

15 (1) The Legislature has determined that the importation of
16 dogs and cats into and the uncontrolled breeding of dogs and
17 cats in this state pose risks to the well-being of dogs and
18 cats, the health of humans and other animals, and the
19 agricultural interests in this state. Importation of dogs and
20 cats from outside the state and country and uncontrolled
21 breeding could result in the transmission of diseases that had
22 been eradicated in this state to dogs and cats, other animals,
23 and humans living in this state.

24 (2) In furtherance of this concern, provision shall be made
25 for the sterilization of all dogs and cats sold or released for
26 adoption from any public or private animal shelter, humane
27 organization, or animal control agency operated by a county,
28 municipality, or other incorporated political subdivision, by
29 either:

30 (a) Providing sterilization by a licensed veterinarian
31 before relinquishing custody of the animal; or

32 (b) Entering into a written agreement with the adopter or
33 purchaser guaranteeing that sterilization will be performed
34 within 30 days after adoption or purchase or prior to sexual
35 maturity. The shelter or animal control agency shall require a
36 sufficient deposit or donation from the adopter or purchaser,
37 which deposit shall be refundable upon presentation to the
38 shelter or animal control agency of written evidence by the
39 veterinarian performing the sterilization that the animal has
40 been sterilized. The deposit may be based upon recommended
41 guidelines established by the Florida Federation of Humane



746520

42 Societies. Failure by either party to comply with the provisions
43 of this paragraph is a noncriminal violation as defined in s.
44 775.08, punishable by a fine, forfeiture, or other civil
45 penalty, and, in addition thereto, the deposit shall be
46 forfeited to the shelter or animal control agency. Any legal
47 fees or court costs used for the enforcement of this paragraph
48 are the responsibility of the adopter or purchaser. Upon the
49 request of a licensed veterinarian, and for a valid reason, the
50 animal shelter or animal control agency shall extend the time
51 limit within which the dog or cat must be sterilized.

52 (3) (a) Also in furtherance of this concern, provision shall
53 be made for the reporting of statistics and data related to dogs
54 and cats taken in and the ultimate disposition of the dog or
55 cat. Each public or private animal shelter, including each
56 animal shelter, humane organization, and animal control agency
57 of a county, municipality, or other political subdivision that
58 receives public funding shall prepare and maintain the following
59 records on a monthly and annual basis using the calendar year
60 and make the records available for public inspection and
61 dissemination no later than 5 business days after the end of the
62 each calendar month:

63 1. The total number of dogs and cats taken in by the animal
64 shelter, humane organization, or animal control agency of a
65 county, municipality, or other incorporated political
66 subdivision, divided by dogs and cats, in the following
67 categories:

- 68 a. Shelter count on the first day of each month;
- 69 b. Stray;
- 70 c. Impounded involuntarily;



746520

71 d. Relinquished by owner;

72 e. Born in shelter;

73 f. Owner requested euthanasia;

74 g. Transferred in or imported from within this state; and

75 e. Transferred in or imported from out of the state.

76 2. The disposition of all dogs and cats taken into the
77 animal shelter, humane organization, or animal control agency of
78 a county, municipality, or other incorporated political
79 subdivision, divided by dogs and cats, in the following
80 categories:

81 a. Adoption;

82 b. Reclaimed by owner;

83 c. Transferred out or exported within the state;

84 d. Transferred out or exported to another state;

85 e. Released in field;

86 f. Shelter euthanasia;

87 g. Owner requested euthanasia;

88 h. Died in care in the shelter;

89 i. Lost while in care; missing animals or records; and

90 j. Shelter count on the last day of the month.

91 (b) Each animal shelter, humane organization, or animal
92 control agency of a county, municipality, or other incorporated
93 political subdivision, that receives public funding and which
94 routinely euthanizes dogs based on the dog's size or breed alone
95 must have a written policy statement to that effect and post the
96 written policy statement prominently at the shelter's site. Dogs
97 euthanized due to breed, temperament, or size must be recorded
98 and included in the calculation of the total euthanasia
99 percentage as part of the monthly reporting requirement.



746520

100 (c) Each animal shelter, humane organization or animal
101 control agency of a county, municipality, or other incorporated
102 political subdivision shall make the records of the specified
103 information available, if requested, as required by chapter 119.
104 The entities referenced above that have Internet access may post
105 the required records online. Each record must be maintained
106 onsite for not less than 3 years.

107 (4) All costs of sterilization generated pursuant to this
108 section shall be paid by the prospective adopter unless
109 otherwise provided for by ordinance of the local governing body,
110 with respect to animal control agencies or shelters operated or
111 subsidized by a unit of local government, or provided for by the
112 humane society governing body, with respect to an animal control
113 agency or shelter operated solely by the humane society and not
114 subsidized by public funds.

115 Section 2. This act shall take effect July 1, 2013.

116
117 ===== T I T L E A M E N D M E N T =====

118 And the title is amended as follows:

119 Delete everything before the enacting clause
120 and insert:

121 A bill to be entitled
122 An act relating to animal shelters and animal control
123 agencies; amending s. 823.15, F.S.; declaring
124 legislative intent relating to the importation and
125 uncontrolled breeding of dogs and cats; providing for
126 the sterilization of all dogs and cats sold or
127 released for adoption from an animal shelter, humane
128 organization, or animal control agency; requiring the



746520

129 animal shelter, humane organization, or animal control
130 agency operated by a county, municipality, or other
131 incorporated political subdivision to enter into a
132 written agreement with an adopter or purchaser of the
133 dog or cat to guarantee the dog or cat will be
134 sterilized by a specified date; requiring a deposit to
135 ensure the sterilization of the dog or cat; requiring
136 that each public or private animal shelter, humane
137 organization, or animal control agency operated by a
138 county, municipality, or other incorporated political
139 subdivision prepare and maintain specified records;
140 specifying the information and data that must be
141 included in the records; declaring that the records be
142 maintained and distributed pursuant to ch. 119, F.S.;
143 requiring that all costs of sterilization generated
144 pursuant to this section be paid by the prospective
145 adopter unless otherwise provided for by ordinance of
146 the local governing body; providing an effective date.